

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claims 1-20 (Cancelled)

Claim 21 (Currently Amended): A device for obtaining and testing a bodily fluid sample, comprising:

a housing having at least a first aperture provided therein; and
a lancing device operatively coupled to said housing for obtaining a bodily fluid sample by advancing through the first aperture in the housing and piercing a bodily fluid sample location and then withdrawing to provide access to the bodily fluid sample by a test strip; and

a mount block coupled with mechanical components within the housing for coupling the test strip thereto, and without moving the housing relative to the bodily fluid sample location, moving the test strip along a trajectory such that a reagent receiving portion of the test strip comes to rest approximately at a center of the bodily fluid sample.

Claim 22 (Currently Amended): The device of claim 21, wherein the lancing device comprises a cutting edge that is substantially aligned with the test strip, although withdrawn following lancing to provide said bodily fluid sample, when the test strip is received in the housing and moved to approximately said center of said bodily fluid sample.

Claim 23 (Previously Presented): The device of claim 21, wherein the lancing device is operatively coupled to said housing by a spring mechanism.

Claim 24 (Previously Presented): The device of claim 21, wherein the lancing device comprises a body having a first axis, and a sharp operatively connected to the body, wherein the sharp has a second axis that is substantially perpendicular to the first axis.

Claim 25 (Previously Presented): The device of claim 21, wherein the lancing device comprises a sharp that has at least two points.

Claim 26 (Previously Presented): The device of claim 21, wherein the lancing device is of a construction sufficient to pierce tissue of a patient.

Claim 27 (Currently Amended): The device of claim 21, wherein after the test strip is received in the housing, and after said lancing and withdrawing of the lancing device, the test strip is movable from a received position to a bodily fluid sample contacting position within 0.010 inch of said center of said bodily fluid sample.

Claim 28 (Currently Amended): The device of claim 27, wherein when the test strip is in the bodily fluid sample-contacting position, a fill channel of the test strip is substantially aligned with the bodily fluid sample within 0.005 inch of said center of said bodily fluid sample.

Claim 29 (Previously Presented): The device of claim 21, wherein the trajectory comprises a travel distance along a patient's skin of approximately 1 mm.

Claim 30 (Currently Amended): The device of claim 21, wherein a physiological property that is determined from the captured portion of the bodily fluid sample comprises a glucose level, a carbohydrate level, a hemoglobin level, or a glycated hemoglobin level, or combinations thereof.

Claim 31 (Previously Presented): The device of claim 21, further comprising a controller operatively coupled to the housing for controlling operation of the lancing device.

Claim 32 (Previously Presented): The device of claim 21, further comprising an input unit operatively coupled to the housing for operating the lancing device.

Claim 33 (Previously Presented): The device of claim 21, further comprising a controller operatively coupled to the housing for controlling movement of the test strip when the test strip is received in the housing.

Claim 34 (Previously Presented): The device of claim 21, wherein the trajectory comprises an approach angle of less than 65°.

Claim 35 (Previously Presented): The device of claim 34, wherein the trajectory comprises an approach angle of not less than approximately 35°.

Claim 36 (Withdrawn): A method for obtaining and testing a sample from a patient, comprising:

providing an automated device on a test site of a patient, the automated device including a housing and being of a construction sufficient to obtain a sample from the test site by advancing a lancing device through a first aperture in the housing and piercing a sample location, and then withdrawing to provide access to the sample by a test strip, and without moving the housing relative to the sample location, to test the sample for an analyte by moving the test strip, which is coupled with mechanical components including a mount block within the housing, along a trajectory such that a reagent receiving portion of the test strip comes to rest approximately at a center of the sample, and to provide a result of the test, automatically upon activation; and activating the device.

Claim 37 (Withdrawn): The method of claim 36, wherein the automated device is of a construction sufficient to move a test strip into contact with the sample, automatically upon activation.

Claim 38 (Withdrawn): The method of claim 36, wherein the automated device is of a construction sufficient to pierce the test site and to move a test strip into contact with the sample from the pierced test site, automatically upon activation.

Claim 39 (Withdrawn): A method of obtaining and testing a sample, comprising:
activating an automated device, the automated device including a housing and being of a construction sufficient to obtain a sample, to test the sample for an analyte, and to provide a result of the test, upon activation; and
wherein the activating providing for automatically advancing a lancing device through a first aperture in the housing and piercing a sample location, and then withdrawing to provide access to the sample by a test strip, and without moving the housing relative to the sample, providing for sample testing by moving a test strip, which is coupled with mechanical components including a mount block within the housing, along a trajectory such that a reagent receiving portion of the test strip comes to rest approximately at a center of the sample.

Claim 40 (Withdrawn): The method of claim 39, wherein the sample is blood.

Claim 41 (Withdrawn): The method of claim 39, wherein the analyte is glucose.

Claim 42 (Withdrawn): The method of claim 36, wherein the trajectory comprises an approach angle of less than 65°.

Claim 43 (Withdrawn): The method of claim 42, wherein the trajectory comprises an approach angle of not less than approximately 35°.

Claim 44 (Withdrawn): The method of claim 39, wherein the trajectory comprises an approach angle of less than 65°.

Claim 45 (Withdrawn): The method of claim 44, wherein the trajectory comprises an approach angle of not less than approximately 35°.

Claim 46 (Withdrawn): The method of claim 36, wherein after the test strip is received in the housing, and after said lancing and withdrawing of the lancing device, the test strip is movable from a received position to a sample contacting position within 0.010 inch of said center of said sample.

Claim 47 (Withdrawn): The method of claim 46, wherein when the test strip is in the sample-contacting position, a fill channel of the test strip is substantially aligned with the sample within 0.005 inch of said center of said sample.

Claim 48 (Withdrawn): The method of claim 36, wherein the trajectory comprises a travel distance along a patient's skin of approximately 1 mm.

Claim 49 (Withdrawn): The method of claim 39, wherein after the test strip is received in the housing, and after said lancing and withdrawing of the lancing device, the test strip is movable from a received position to a sample contacting position within 0.010 inch of said center of said sample.

Claim 50 (Withdrawn): The method of claim 49, wherein when the test strip is in the sample-contacting position, a fill channel of the test strip is substantially aligned with the sample within 0.005 inch of said center of said sample.

Claim 51 (Withdrawn): The method of claim 39, wherein the trajectory comprises a travel distance along a patient's skin of approximately 1 mm.

Appl. No. 10/701,993
Election dated January 15, 2007
Reply to Election/Restriction dated December 18, 2006

RESPONSE TO ELECTION/RESTRICTIONS:

In response to the Office Communication of **December 18, 2006**, Applicants' elect Group I, including Claims 21-35, drawn to a bodily fluid sampling apparatus, without traverse.

Applicants further elect species B of set 1, including the Group I claims 21-24 and 26-35. Applicants further elect species E of set 2, including the Group I claims 21-28 and 30-35. Applicants further elect species G of set 3, including the Group I claims 21-35. Therefore, claims 25, 29 and 36-51 are withdrawn as being drawn to non-elected species.